

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 91-489-E - ORDER NO. 92-1024 ✓  
DECEMBER 2, 1992

IN RE:	City of Union, South Carolina -	)	
	Application for a Certificate of	)	
	Public Convenience and Necessity	)	ORDER GRANTING
	to Sell and Distribute Electricity	)	APPLICATION
	in Certain Unassigned Territory	)	
	Contiguous to the City of Union.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on an Application filed by the City of Union requesting a Certificate of Environmental Compatibility and Public Convenience and Necessity to sell and distribute electricity in certain unassigned territory contiguous to the City of Union. The Certificate is requested to provide electrical service to Monty Joe Bogan and to provide similar service to such other customers as may request electric service from the City of Union from its existing three-phase line along the new highway 176 corridor. This Application was filed pursuant to S.C. CODE ANN. §58-27-1230 (1976, as amended).

A hearing was held on this matter on November 25, 1992 at 10:30 a.m. in the Commission Hearing Room. The Honorable Henry G. Yonce, Chairman, presided. The City of Union, South Carolina, was represented by James M. Brailsford, III, Esquire. The Commission Staff was represented by F. David Butler, Staff Counsel. John F.

Fantry, Jr., Esquire, represented the Protestant, Broad River Electric Cooperative, Inc. (Broad River). The only witness presented was the City of Union's witness, T. D. Sherbert, Jr.

This three-phase line was the subject of a prior Commission proceeding under Docket No. 90-68-E, in Order No. 90-1008, dated October 26, 1990. In that Order, this Commission held that the City of Union did not have to apply for a Certificate under S.C. CODE ANN., §58-27-1230 (1976, as amended) to build the three-phase line in question. However, the Commission held that if the City of Union wished to serve new customers from this line, it must apply for a Certificate. The City of Union, therefore, comes before this Commission after receiving the request of Monty Joe Bogan for service from this three-phase line.

The testimony of T. D. Sherbert, Jr. for the City of Union showed that only a drop line from the three-phase line in question was necessary to serve Monty Joe Bogan. However, Sherbert also asked that the Commission allow the City of Union to provide similar service to such other customers as may request electric service from the three-phase line along the new Highway 176 corridor without further proceedings before this Commission. Upon questioning by this Commission, the attorney for the City of Union, James M. Brailsford, III, stated that it was his belief that a lot by lot certificate application process was expensive and cumbersome and was wasteful of the Commission's time, but that the Commission might want to establish a certification process for requesting customers beyond 300 feet from the three-phase line. John F.

Fantry, Jr., Esquire, appearing for the Protestant, Broad River Electric Cooperative, Inc., argued that although Broad River had no objection to the granting of a Certificate for the Bogan property, Broad River objected to a blanket authorization of any other individuals who may request service from the City of Union.

The Commission has considered this matter and is of the belief that the Certificate, as requested by the City of Union to serve Monty Joe Bogan off of the three-phase line in question, should be granted. Further, the Commission believes that service by the City of Union for any premises within three hundred (300) feet of the three-phase line should be allowable by the City of Union upon request without the necessity for a Certificate. The Commission agrees with the City's attorney that a lot by lot certificate application process is indeed expense and cumbersome.

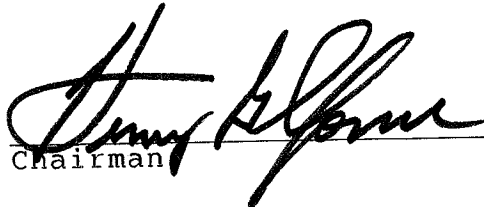
IT IS THEREFORE ORDERED THAT:

1. The Certificate of Environmental Compatibility and Public Convenience and Necessity to sell and distribute electricity in certain unassigned territory contiguous to the City of Union and the provision of electrical service to Monty Joe Bogan is hereby granted.

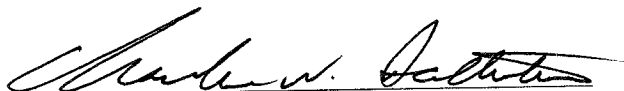
2. That the City of Union may provide electric service off of the three-phase line in question upon request by any customer within three hundred (300) feet of the three-phase line without the necessity of application for a certificate. For requesting customers beyond that distance, the City of Union must continue to seek a Certificate.

3. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)